

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
Charleston Division**

STERLING MISANIN, et al.,

Plaintiffs,

v.

ALAN WILSON, in his official capacity as
the Attorney General of South Carolina, et al.,

Defendants.

Case No. _____

DECLARATION OF JANE DOE

I, Jane Doe, hereby declare and state as follows:

1. My name is Jane Doe.¹ I am a plaintiff in the above-captioned action and submit this declaration in support of Plaintiffs' Motion for Preliminary Injunction.

2. I am over the age of 18, of sound mind, and in all respects competent to testify. I have personal knowledge of the facts set forth in this Declaration and could and would testify competently to those facts if called as a witness.

3. I am 32 years old and a resident of Charleston, South Carolina.

4. I moved to South Carolina in 2020 when I received an opportunity to join a residency program at a hospital here in the state. I moved here with my wife, and we have been married for 8 years. We are expecting our first child in February of 2025.

¹ Jane Doe is a pseudonym. I am proceeding under pseudonym to protect my right to privacy and myself from discrimination, harassment, and violence, as well as retaliation for seeking to protect my rights.

5. I am a woman who is transgender. Although I was assigned the sex male at birth, my gender identity is female.

6. I have been struggling with gender dysphoria my whole life. Growing up in the South, I did not have a safe space to process my feelings of dysphoria or share these feelings with others. I lived in a body that did not feel like my own because coming out as transgender in that space felt like social suicide. Although I continually felt discomfort in my body, I continued to repress my gender identity in fear of how those around me might react. I was particularly worried about my family's reaction. I have always tried to make my parents proud, and I was not sure if they would continue to support me or embrace who I was if I told them that I am a woman.

7. It was only in 2020, once I had finally moved away from my family, gained some independence, and felt financially stable, that I was in a position to safely live as myself. My wife was the first person I told about my gender identity, and her support gave me the confidence to open myself up to the idea of accessing gender affirming care. I then decided to seek professional help to alleviate the distress caused by my gender dysphoria.

8. I started seeing a licensed professional counselor who diagnosed me with gender dysphoria in early 2021. Later that year, after consulting with a doctor and learning more about gender affirming care, I began hormone therapy (estrogen and progesterone). I have been accessing this treatment for three years now.

9. Hormone therapy has improved my life dramatically. When I look at myself today, I see a more authentic version of myself, and people around me recognize me as the woman that I am. Overall, I am a much happier, more complete person.

10. I planned to receive surgical care this year to further ease the distress I experience from my gender dysphoria. My medical providers and I decided this is the appropriate next step

in my continuing care. My hope is to access this surgical care before the end of this year because I want and need to be fully recovered before my wife gives birth and we welcome a baby into our lives. I have scheduled my surgery for November 11, 2024, but I will not be able to access surgical care without insurance coverage due to the cost.

11. I am an employee of the State of South Carolina. My healthcare plan is administered by the South Carolina Public Employee Benefit Authority (“PEBA”) and processed by BlueCross BlueShield. Until recently, this plan has always covered my gender-affirming care, including hormone treatment. It was my understanding that future gender-affirming surgeries or procedures, including my planned surgical care, would also be covered under the plan.

12. In July of 2024, I was informed by my health plan administrators that, although my insurance plan has not changed, the state health plan is required to adhere to state law, including H 4624, and this indicated to me that they will not be able to cover the cost of my surgical care. Without insurance coverage, I will not be able to afford surgical care as the out-of-pocket cost would be hundreds of thousands of dollars. I will also be forced to spend hundreds of dollars more per month to continue filling my prescription for hormone therapy.

13. This has caused me a great deal of stress. As a medical professional I have always tracked closely and understood the implications of this legislation, and when the bill was signed into law, I was devastated. Learning that I will no longer be able to access the surgical care I need has made me even more anxious about my future well-being and safety.

14. Gender-affirming care, including my hormone therapy and prospective surgery, is essential to my well-being, and helps me be myself. Without this necessary medical care, I am afraid my dysphoria will worsen and my family will face significant financial strains. I was looking forward to accessing surgical care before my wife gives birth to our child so that I could fully

recover and support my wife in taking care of our newborn. I am heartbroken that I will have to shoulder an immense financial burden to continue my hormone therapy without insurance assistance given that these payments will draw away from funds that would otherwise go towards taking care of my child. This law has also complicated the plans my wife and I have made to grow our family. We have already spent a great deal of our savings on IVF treatment, and now we will have to also take on the prohibitive cost of paying for my gender-affirming care out-of-pocket.

15. As a transgender person and a medical professional, I believe South Carolina's lawmakers lack the appropriate understanding of transgender healthcare. In passing this bill, they have disregarded evidence-based medicine and voted in ignorance leading to the approval of a bill that has devalued me and other transgender people and has created an unnecessary barrier to healthcare for a vulnerable population. By signing this bill into law, the state has singled out transgender people and directly contributed to the stigma we face daily.

16. Through this law, South Carolina lawmakers have created unnecessary stress and anxiety for me and my family. Access to gender affirming care saves lives and has enabled me to be the best version of myself, which in turn has enabled me to provide the best care for the South Carolinians I have treated as a physician. Transgender healthcare access should be determined by patients and physicians, not the state.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: August 28, 2024

Jane Doe